

Fixed Fees for Motoring Offences in the Magistrates Court

We offer an initial free 15 minute consultation with a solicitor or other experienced colleague to help you decide if you would like to instruct us to advise and represent you. We can often give you costs estimate in this meeting, which could be in person at our office or by telephone.

We will usually advise and represent you for a fixed fee. The fee will depend on the type of charge and whether you decide to plead guilty or dispute the allegation. Very occasionally we would have to charge based on an hourly rate. If so, we will tell you at the outset of your case, and provide an estimate of the time we think the case will take. Our hourly rate for motoring offences is £200 plus VAT (currently 20%). The fees set out below apply if your case is to be heard at a court in Somerset or in Weston-super-Mare. We are happy to represent you at other courts but we may have to make an additional charge to reflect the travel time and expenses. We will tell you about any additional charge at the outset of your case.

If you plead guilty

If you admit the charge (or all charges if there is more than one) we will charge **£480** including VAT.

This fee will include the following key stages:

- a meeting to obtain your instructions (in person or by telephone)
- obtaining and considering the evidence
- advising you about your plea and the likely sentence
- advising you about whether an exceptional hardship or special reasons argument should be made
- attending and representing you at a single hearing at the Magistrates Court

Please note the fee will not include:

- instructing (or the fee charged by) an expert witness
- taking statements from witnesses
- representation in relation to special reasons or exceptional hardship arguments (see separate sections below)
- advice and assistance relating to an appeal
- representation at any additional hearing (for example if the court requires a report before deciding on the sentence). We will tell you what our additional charge for this will be if the need arises.

Timescales

Most cases of this type are dealt with at the first hearing, but if the case has to be adjourned (perhaps because the court requires a report) the second hearing will normally be three to six weeks later.

Disbursements

There are not usually any disbursements (expenses) associated with this type of case. If we represent you at more distant courts we will charge mileage at 45p per mile plus VAT at 20%

If you plead not guilty

If you decide to plead not guilty (or you have already entered a not guilty plea) our fixed fee will depend on the type and number of charges, the time needed to prepare your case, and the length of the trial hearing. Our fixed fee would be in a range from **£1200** to **£3600** including VAT. We can usually provide you with more detailed information after an initial meeting, and confirm the amount after the plea hearing.

This fee will include the following key stages:

- a meeting to obtain your initial instructions (in person or by telephone)
- obtaining and considering the evidence
- advising you on the strength of the prosecution case, your prospects of success and the likely sentence if you are found guilty
- one further meeting with you to obtain detailed instructions
- obtaining a statement from one defence witness
- completing all necessary case management forms
- attending and representing you at the plea hearing and at your trial
- presenting a plea in mitigation if you are found guilty and you are sentenced on the same day as the trial

Please note the fee will not include:

- instructing (or the fees charged by) an expert witness
- taking statements from more than one defence witness
- advice or representation in special reasons or exceptional hardship hearings
- advice or assistance in relation to any appeal

Timescales

Cases of this type can take up to six months to conclude, there will always be at least two hearings. The date of the second hearing (the trial) will be fixed by the court and will depend, for example, on the availability of court time and the availability of witnesses, and will typically be one to four months after the first hearing.

Disbursements

If we represent you at more distant courts we will charge mileage at 45p per mile plus VAT at 20%. It is sometimes necessary to instruct an expert in this type of case. If we instruct an expert our additional fee will normally be £150 plus VAT. The expert's fee will depend on the type and complexity of the case but will typically be in a range between £500 and £1000 plus VAT at 20%. We will obtain a quote from the expert and agree this with you.

Exceptional hardship hearings

Our fixed fee is **£660** including VAT

If you face disqualification because you have accumulated 12 or more penalty points a court does not have to disqualify you if you can show that the disqualification will result in exceptional hardship. The court will usually only take into account hardship to others (for example, your

dependants or others whose livelihood might be affected as a result of your inability to drive) so it is important to ensure these arguments are presented professionally

This fee will include the following key stages:

- a meeting to obtain your instructions (in person or by telephone)
- obtaining and considering the evidence
- advising you about your plea and the likely sentence and your chances of success, and about the evidence and information required in support of your argument
- attending and representing you at a single hearing at the Magistrates Court

Please note the fee will not include:

- instructing (or the fee charged by) an expert witness
- taking statements from witnesses
- advice and assistance relating to an appeal
- representation at any additional hearing (for example if the court requires a report before deciding on the sentence). We will tell you what our additional charge for this will be if the need arises.

Timescales

Cases of this type are often dealt with at the first hearing, but sometimes the argument has to be presented at a second hearing, perhaps because there is not enough court time available, or witnesses have to be called. The second hearing will typically be one to three months after the first.

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Special reasons hearings

Our fixed fee is **£960** including VAT

If you face mandatory disqualification or the imposition of penalty points a court can sometimes be persuaded not to disqualify, or to impose a shorter disqualification, or not to award points, if it accepts there were "special reasons". These are unusual circumstances relating to the commission of the offence, such as driving only a very short distance, driving in a genuine emergency, or driving after your drinks have been spiked or laced without your knowledge. These are usually very technical applications so it is important that your case is thoroughly and skilfully prepared and presented.

This fee will include the following key stages:

- a meeting to obtain your instructions (in person or by telephone)
- obtaining and considering the evidence

- advising you about your plea and the likely sentence and your chances of success, and about the evidence and information required in support of your argument
- attending and representing you at no more than two hearings at the Magistrates Court

Please note the fee will not include:

- instructing (or the fee charged by) an expert witness
- taking statements from witnesses
- advice and assistance relating to an appeal
- representation at any additional hearing (for example if the court requires a report before deciding on the sentence). We will tell you what our additional charge for this will be if the need arises.

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Who will undertake the work

Nigel Yeo [CLICK HERE](#) will advise and represent you in court and Lynne Cornish [CLICK HERE](#) will assist with case preparation. Nigel supervises his own work and the work carried out by Lynne.